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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1)☒ Responsive to communication(s) filed on _18 April 2007_.

2a)☐ This action is **FINAL**.　　　　2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

4)☒ Claim(s) _1-20_ is/are pending in the application.

　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-20_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

### Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on _18 April 2007_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

　　a)☒ All　b)☐ Some * c)☐ None of:

　　　1.☒ Certified copies of the priority documents have been received.

　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.

　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

　* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
　　Paper No(s)/Mail Date _06/19/2006_.

4)☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

## DETAILED ACTION

1.      In the preliminary amendment filed June 19, 2006, claims 2-9 and 11-20

were amended.  Currently, claims 1-20 are pending in this application.

### *Priority*

2.      Acknowledgment is made of Applicants' claim for foreign priority under 35

U.S.C. 119(a)-(d).  The certified copy of Application No. PCT/NL03/00900, filed

on December 13, 2003, has been received by the Office.

### *Specification*

3.      Applicant is reminded of the proper language and format for an abstract of
the disclosure.

The abstract should be in narrative form and generally limited to a single
paragraph on a separate sheet within the range of 50 to 150 words.  It is
important that the abstract not exceed 150 words in length since the space
provided for the abstract on the computer tape used by the printer is limited.  The
form and legal phraseology often used in patent claims, such as "means" and
"said," should be avoided.  The abstract should describe the disclosure
sufficiently to assist readers in deciding whether there is a need for consulting the
full patent text for details.

The language should be clear and concise and should not repeat
information given in the title.  It should avoid using phrases which can be implied,
such as, "The disclosure concerns," "The disclosure defined by this invention,"
"The disclosure describes," etc.

4.      The abstract of the disclosure is objected to because it contains more than

150 words.  See MPEP § 608.01(b).  Correction is required.

### *Claim Objections*

5.      Claims 10, 22, 24, and 25 are objected to because of the following

informalities:

- **In regard to claim 10**, "the client computer," recited in line 1, "the low

  quality version," recited in line 3, "the server system," recited in line 4,

  and "the high quality version," recited in line 5, all lack antecedent

  basis; and

- **In regard to claim 20**, "including a a connection," recited in line 2,

  appears to be a typographical error.

Appropriate correction is required.

### *Claim Rejections - 35 USC § 101*

6.      35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or
> composition of matter, or any new and useful improvement thereof, may obtain a patent
> therefor, subject to the conditions and requirements of this title.

Claims 19-20 are rejected under 35 U.S.C. 101 because the claimed

invention is directed to non-statutory subject matter.

**In regard to claims 19-20**, the claims define a computer program product

embodying functional descriptive material (i.e., computer instructions).  However,

the claim does not define a "computer-readable [storage] medium or computer-readable memory" and is thus non-statutory for that reason (When functional descriptive material is recorded on some computer-readable medium it becomes structurally and functionally interrelated to the medium and will be statutory in most cases since use of technology permits the function of the descriptive material to be realized). The scope of the presently claimed invention encompasses products that are not necessarily computer readable, and thus NOT able to impart any functionality of the recited program. The examiner suggests amending the claim(s) to embody the program on "computer-readable storage medium" or equivalent; assuming the specification does NOT define the computer readable medium as a "signal", "carrier wave", or "transmission medium" which are deemed non-statutory (refer to "note" below). Any amendment to the claim should be commensurate with its corresponding disclosure.

Note:

"A transitory, propagating signal … is not a "process, machine, manufacture, or composition of matter." Those four categories define the explicit scope and reach of subject matter patentable under 35 U.S.C. § 101; thus, such a signal cannot be patentable subject matter." (In re Nuijten, 84 USPQ2d 1495 (Fed. Cir. 2007). Should the full scope of the claim as properly read in light of the disclosure encompass non-statutory subject matter such as a "signal", the claim as a whole would be non-statutory. Should the applicant's specification define or exemplify

the computer readable medium or memory (or whatever language applicant

chooses to recite a computer readable medium equivalent) as statutory tangible

products such as a hard drive, ROM, RAM, etc, **as well as** a non-statutory entity

such as a "signal", "carrier wave", or "transmission medium", the examiner

suggests amending the claim to _include_ the disclosed tangible computer

readable storage media, while at the same time _excluding_ the intangible

transitory media such as signals, carrier waves, etc.

Merely reciting functional descriptive material as residing on a "tangible" or

other medium is not sufficient.  If the scope of the claimed medium covers media

other than "computer readable" media (e.g., "a tangible media", a "machine-

readable media", etc.), the claim remains non-statutory.  The full scope of the

claimed media (regardless of what words applicant chooses) should not fall

outside that of a computer readable medium.

## _Claim Rejections - 35 USC § 102_

7.      The following is a quotation of the appropriate paragraphs of 35

U.S.C. 102 that form the basis for the rejections under this section made in this

Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in
> public use or on sale in this country, more than one year prior to the date of application for patent in
> the United States.

8.      Claims 1-3, 7-12, 14-16, and 18-20 are rejected under 35 U.S.C. 102(b)

as being anticipated by E.P. Patent Application Publication No. 0 878 956 A1 to

Yokomizo et al. (hereinafter, Yokomizo). Yokomizo was cited by Applicants in

the IDS filed on June 19, 2006.


**In regard to claim 1**, Yokomizo discloses a method of editing and printing

a photo album (**Yokomizo, pg. 2, lines 7-9**), the method comprising:

storing low quality and high quality digital representations of photographs

in a server system (**Yokomizo, pg. 4, line 58 – pg. 5, line 5, the sever system**

**is everything above items 7 and 10 in Fig. 1**);

sending the low quality digital representations to a client computer remote

from the server system in association with respective identifiers of the

photographs (**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent**

**and can include, for example, the name of the file attached to the image,**

**see also pg. 6, lines 25-30 for identifier disclosure**);

editing an electronic representation of pages of the photo album at the

client computer, using an interactive display with the low quality digital

representations of interactively selected photographs (**Yokomizo, pg. 5, lines**

**10-11, and pg. 9, line 55 – pg. 10, line 4, the interactive display is shown, for**

**example, in Fig. 7, item 70 or 71, see also, pg. 10, lines 1-4, and pg. 14, lines**

**45-46**);

sending an editing result of said editing from the client computer to the

server system, including identifiers of the selected photographs (**Yokomizo, pg.**

**5, lines 12-17, editing results is editorial commands or instructions,**

**identifiers are inherent since the editorial commands are used to edit the**

**high resolution image stored in the server system, see also pg. 6, lines 25-30 for identifier disclosure**);

retrieving, in the server system, the stored high quality digital representation of the selected photographs identified by the identifiers in the editing result (**Yokomizo, pg. 5, lines 15-17, since the high resolution images are edited at the server system, they have to be retrieved from storage in the server system**);

printing the pages of the photo album in the server system using the retrieved high quality digital representations (**Yokomizo, pg. 5, lines 16-17**).

**In regard to claim 8**, Yokomizo discloses a photo album printing system (**Yokomizo, pg. 2, lines 7-9, and Fig. 1**), comprising:

a communication network (**Yokomizo, pg. 4, lines 47-48, World Wide Web**);

a client computer (**Yokomizo, Fig. 1, item 7 and/or 10**) coupled to the communication network and arranged to enable a user to interactively edit an electronic representation of pages of a photo album (**Yokomizo, pg. 5, lines 8-11, see also pg. 15, line 5, where album is the photo album**), the pages containing interactively selected photographs, each associated with a respective identifier (**Yokomizo, pg. 15, line 5, and lines 9-10, identifiers are inherent, see also pg. 6, lines 25-30 for identifier disclosure**); and

a server system coupled to the network (**Yokomizo, Fig. 1, the sever system is everything above items 7 and 10 in Fig. 1**), the server system

comprising a photo printer (**Yokomizo Fig. 1, item P**) and electronic storage

space (**Yokomizo, Fig. 1, item 3**) wherein digital representations of low quality

and high quality versions of photographs are stored (**Yokomizo, pg. 4, line 58 –**

**pg. 5, line 5**),

the server system being arranged to transmit the low quality versions to

the client computer in association with the respective identifiers, for display

during editing (**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent**

**and can include, for example, the name of the file attached to the image,**

**see also pg. 6, lines 25-30 for identifier disclosure**),

the client computer being arranged to transmit a electronic edit result

representing the pages of the photo album to the server system, including the

identifiers of the selected photographs in the resulting electronic representation

(**Yokomizo, pg. 5, lines 12-17, editing results is editorial commands or**

**instructions, identifiers are inherent since the editorial commands are used**

**to edit the high resolution image stored in the server system**),

the server system being arranged to retrieve the high quality versions of

the photographs from the storage space using the identifiers included with the

edit result and to print the pages with the photo printer under control of the

retrieved high quality versions of the photographs (**Yokomizo, pg. 5, lines 15-**

**17, since the high resolution images are edited at the server system, they**

**have to be retrieved from storage in the server system**).

**In regard to claim 10**, Yokomizo discloses a photo album printing system
(**Yokomizo, pg. 2, lines 7-9**), wherein the client computer is arranged to provide
for user selection of a transformation to be applied to a photograph (**Yokomizo,
pg. 5, lines 10-11, user selection of a transformation is shown, for example,
in Fig. 7, item 70 or 71, see also, pg. 10, lines 1-4**), to display a transformation
result of the low quality version (**Yokomizo, pg. 5, lines 10-11, and pg. 9, line
55 – pg. 10, line 4, the transformation result would be shown in Fig. 7, item
70 and/or item 71, see also pg. 14, lines 45-46, display 30-5**) and to transmit
information indicative of the selected transformation to the server system
(**Yokomizo, pg. 5, lines 12-17**), the server system being arranged to apply the
transformation to the high quality version before printing (**Yokomizo, pg. 5, lines
15-17**).


**In regard to claim 11**, Yokomizo discloses a client computer programmed
for editing a photo album (**Yokomizo, pg. 17, lines 29-30**), the client computer
comprising:

a user command input device (**Yokomizo, Fig. 7, item 70 and/or item
71**),

a processor (**Yokomizo, pg. 5, lines 10-11, all computers have a
processor**),

a display screen (**Yokomizo, Fig. 7, item 70 and/or item 71, see also
pg. 14, lines 45-46, display 30-5**) and a connection (**Yokomizo, pg. 4, lines 47-
48, World Wide Web, the PC is connected to World Wide Web, so it must**

**have a connection**) for connecting to a server system (**Yokomizo, Fig. 1, the**

**sever system is everything above items 7 and 10 in Fig. 1**), and wherein the

client computer is programmed to:

receive low quality digital representations of photographs from a remote

server system in association with respective identifiers of the photographs

(**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent and can**

**include, for example, the name of the file attached to the image, see also**

**pg. 6, lines 25-30 for identifier disclosure**);

receive editing commands from the user command input device, to select

selected photographs for display on pages of a photo album (**Yokomizo, Fig. 1,**

**the edit commands would be received from the user at items 70 and/or 71**

**in Fig. 1**);

display the edited pages (**Yokomizo, pg. 5, lines 10-11, and pg. 9, line**

**55 – pg. 10, line 4, the edited pages would be displayed in Fig. 7, item 70**

**and/or item 71, see also pg. 14, lines 45-46, display 30-5**);

send an editing result of said editing from the client computer to the server

system, including identifiers of the selected photographs (**Yokomizo, pg. 5, lines**

**12-17, editing results is editorial commands or instructions, identifiers are**

**inherent since the editorial commands are used to edit the high resolution**

**image stored in the server system**).

**In regard to claim 15**, Yokomizo discloses a server system for printing photo albums (**Yokomizo, pg. 5, lines 16-17, the sever system is everything above items 7 and 10 in Fig. 1**), the server system comprising:

a connection for connecting to one or more remote client computers (**Yokomizo, pg. 4, lines 47-48, World Wide Web, the server system is connected to a user's home PC via the World Wide Web, so it must have a connection**),

a processor (**Yokomizo, pg. 17, lines 15-29**),

a storage apparatus (**Yokomizo, Fig. 1, item 3**) storing low and high quality representations of respective photographs (**Yokomizo, pg. 4, line 58 – pg. 5, line 5**), wherein the server system is programmed to:

send the low quality digital representations to a client computer remote from the server system in association with respective identifiers of the photographs (**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent and can include, for example, the name of the file attached to the image, see also pg. 6, lines 25-30 for identifier disclosure**);

receive an editing result representing pages of a photo album, including identifiers of selected ones of the photographs (**Yokomizo, pg. 5, lines 12-17, editing results is editorial commands or instructions, identifiers are inherent since the editorial commands are used to edit the high resolution image stored in the server system**);

retrieve the stored high quality digital representation of the selected photographs identified by the identifiers in the editing result (**Yokomizo, pg. 5,**

**lines 15-17, since the high resolution images are edited at the server**

**system, they have to be retrieved from storage in the server system the**

**identifiers would need to be used to retrieve the high quality image, see**

**also pg. 6, lines 25-30 for identifier disclosure**); and

print the pages of the photo album in the server system using the retrieved

high quality digital representations (**Yokomizo, pg. 5, lines 16-17**).


**In regard to claim 19**, Yokomizo discloses a computer program product

comprising instructions for programming a PC (**Yokomizo, pg. 17, lines 25-29**),

including a user command input device (**Yokomizo, Fig. 7, item 70 and/or item**

**71**), a processor (**Yokomizo, pg. 5, lines 10-11, all computers have a**

**processor**), a display screen (**Yokomizo, Fig. 7, item 70 and/or item 71, see**

**also pg. 14, lines 45-46, display 30-5**) and a connection for connecting to a

server system (**Yokomizo, pg. 4, lines 47-48, World Wide Web, the PC is**

**connected to World Wide Web, which is connected to a server system, so**

**the PC must have a connection, the sever system is everything above**

**items 7 and 10 in Fig. 1**) to operate as a client computer (**Yokomizo, pg. 5, line**

**11, personal computer of user is client computer**), the computer program

product facilitating performing the steps of:

receiving low quality digital representations of photographs from a remote

server system in association with respective identifiers of the photographs

(**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent and can**

**include, for example, the name of the file attached to the image, the server**

**system is everything above items 7 and 10 in Fig. 1, see also pg. 6, lines 25-30 for identifier disclosure**);

receiving editing commands from the user command input device, to select selected photographs for display on pages of a photo album (**Yokomizo, Fig. 1, the edit commands would be received from the user at items 70 and/or 71 in Fig. 1**);

displaying the edited pages (**Yokomizo, pg. 5, lines 10-11, and pg. 9, line 55 – pg. 10, line 4, the edited pages would be displayed in Fig. 7, item 70 and/or item 71, see also pg. 14, lines 45-46, display 30-5**); and

sending an editing result of said editing from the client computer to the server system, including identifiers of the selected photographs (**Yokomizo, pg. 5, lines 12-17, editing results is editorial commands or instructions, identifiers are inherent since the editorial commands are used to edit the high resolution image stored in the server system, see also pg. 6, lines 25-30 for identifier disclosure**).

**In regard to claim 20**, Yokomizo discloses a computer program product comprising instructions for programming a computer (**Yokomizo, pg. 17, lines 25-29**), including a connection for connecting to one or more remote client computers (**Yokomizo, pg. 4, lines 47-48, World Wide Web, the server system is connected to a user's home PC via the World Wide Web, so it must have a connection**), a processor (**Yokomizo, pg. 17, lines 15-29**), a storage apparatus (**Yokomizo, Fig. 1, item 3**) storing low and high quality

representations of respective photographs (**Yokomizo, pg. 4, line 58 – pg. 5,
line 5, the sever system is everything above items 7 and 10 in Fig. 1**), to
operate as a server computer, the computer program product facilitating
performing the steps of:

sending the low quality digital representations to a client computer remote
from the server system in association with respective identifiers of the
photographs (**Yokomizo, pg. 5, lines 8-11, respective identifiers are inherent
and can include, for example, the name of the file attached to the image,
see also pg. 6, lines 25-30 for identifier disclosure**);

receiving an editing result representing pages of a photo album, including
identifiers of selected ones of the photographs (**Yokomizo, pg. 5, lines 12-17,
editing results is editorial commands or instructions, identifiers are
inherent since the editorial commands are used to edit the high resolution
image stored in the server system, see also pg. 6, lines 25-30 for identifier
disclosure**);

retrieving the stored high quality digital representation of the selected
photographs identified by the identifiers in the editing result (**Yokomizo, pg. 5,
lines 15-17, since the high resolution images are edited at the server
system, they have to be retrieved from storage in the server system the
identifiers would need to be used to retrieve the high quality image**); and

printing the pages of the photo album in the server system using the
retrieved high quality digital representations (**Yokomizo, pg. 5, lines 16-17**).

**In regard to claims 2 and 16,** Yokomizo further discloses receiving

selection commands for selection positions where the selected photographs must

be printed on a page of the photo album (**Yokomizo, pg. 5, lines 10-11, the**

**editing would be received at user's computer, see also pg. 8, lines 13-14,**

**pg. 15, lines 3-12, and Fig. 5, item 32-2 for where the selected photographs**

**must be printed on a page of the photo album**);

sending information indicative of the selected positions from the client

computer to the server system (**Yokomizo, pg. 5, lines 12-14**); and

wherein said printing including positioning the selected photographs

according to said information (**Yokomizo, pg. 5, lines 15-17, see also pg. 8,**

**lines 13-14, pg. 15, lines 3-12, and Fig. 5, item 32-2 for selection of location**

**of photograph in album**).


**In regard to claims 3, 9, and 12,** Yokomizo further discloses providing a

plurality of available album page templates, each of the templates defining a

plurality of locations for photographs at predefined positions for a page of the

photo album (**Yokomizo, pg. 5, lines 15-17, see also pg. 8, lines 13-14, pg. 15,**

**lines 3-12, and Fig. 5, item 32-2 for selection of location of photograph in**

**album, "image slots" are templates. Fig. 5, item 32-2 shows a plurality of**

**images on a page**);

receiving a selection of a particular template from the user (**Yokomizo,**

**pg. 5, lines 10-11, editing done by user received at users computer is the**

**receiving, see also pg. 8, lines 13-14, pg. 15, lines 3-12, and Fig. 5, item 32-2**

**for selection of location of photograph in album, "image slots" are**

**templates.  Fig. 5, item 32-2 shows a plurality of images on a page**); and

receiving commands from the user to select the positions of the selected

photographs by associating the selected photographs with respective ones of

positions from the particular template (**Yokomizo, pg. 5, lines 12-14, server**

**system receives editing commands from user, see also pg. 8, lines 13-14,**

**pg. 15, lines 3-12, and Fig. 5, item 32-2 for selection of location of**

**photograph in album, "image slots" are templates.  Fig. 5, item 32-2 shows**

**a plurality of images on a page**).

In regard to claim 12, the information identifying the selected templates or

the position in the template to the server is disclosed at, for example, Yokomizo,

pg. 5, lines 12-17 (editorial commands are sent to the server).

**In regard to claim 7**, Yokomizo further discloses receiving text data in

combination with a position specification at the client computer (**Yokomizo, pg.**

**14, lines 46-49, and pg. 15, lines 9-10**);

sending the text data to the server computer (**Yokomizo, pg. 14, lines 53-**

**57, and pg. 15, lines 9-10**); and

printing text controlled by the text data on a page of the photo album at a

position controlled by the position specification (**Yokomizo, pg. 14, lines 53-57,**

**pg. 14, line 58 – pg. 15, line 2, and pg. 15, lines 9-10**).

**In regard to claim 14**, receive a user selection of a transformation to be applied to a photograph (**Yokomizo, pg. 8, lines 15-16**); display a transformation result of the low quality version at said client computer (**Yokomizo, pg. 14, lines 44-46**); and transmit information indicative of the selected transformation to the server system (**Yokomizo, pg. 14, lines 53-57**).

**In regard to claim 18**, further discloses receiving information indicative of a selected transformation from the client computer (**Yokomizo, pg. 5, lines 12-14, and pg. 8, lines 15-16, the editorial information is sent to a server system from the client computer, and therefore received from the client computer**); and

adapt or select the high quality version according to the selected transformation before printing (**Yokomizo, pg. 5, lines 15-17**).

## *Claim Rejections - 35 USC § 103*

9.      The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

10.     Claims 4-5, 13, and 17 are rejected under 35 U.S.C. 103(a) as being obvious in view of Yokomizo.

**In regard to claims 4 and 13**, Yokomizo does not specifically disclose wherein the information indicative of the selected positions includes an identification of the particular template, and wherein the server system stores information about the available templates and retrieves the position information for printing from the stored information.

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Yokomizo so that the information indicative of the selected positions includes an identification of the particular template, and wherein the server system stores information about the available templates and retrieves the position information for printing from the stored information. In this way, the information indicative of the selected positions includes an identification of the particular template could be include in the command code sent from the client computer to the server system in Yokomizo. *See* Yokomizo, pg. 5, lines 12-14. The motivation to modify Yokomizo in such a way is to reduce bandwidth usage, and therefore reduce cost. Further motivation would be to increase the speed of transmission of information. For example, a user would only have to send a flag in the command code, wherein the flag could be associated with the particular template at the server system. These motivations are in line with what Yokomizo is trying to compensate for. *See* Yokomizo, pg. 2, lines 25-30, and lines 37-39.

**In regard to claim 5**, Yokomizo, as modified, discloses claims 4 above.
Moreover, Yokomizo discloses receiving a user selection of a transformation to
be applied to a photograph (**Yokomizo, pg. 8, lines 15-16**);

displaying a transformation result of the low quality version at said client
computer (**Yokomizo, pg. 14, lines 44-46**);

transmitting information indicative of the selected transformation to the
server system (**Yokomizo, pg. 14, lines 53-57**); and

adapting the high quality version according to the selected transformation
before printing (**Yokomizo, pg. 14, line 58 – pg. 15, line 2**).


**In regard to claim 17**, Yokomizo does not specifically disclose the server
system storing a plurality of page templates with each position information of a
plurality of photo positions on a page, the server system being programmed to:

receive information indicative of a selected template from the client
computer;

retrieve the position information from the selected template; and

print the selected photographs at positions controlled by the retrieved
position information from the selected template.

It would have been obvious to one of ordinary skill in the art at the time of
the invention to modify Yokomizo so that the server system storing a plurality of
page templates with each position information of a plurality of photo positions on
a page, the server system being programmed to: receive information indicative of
a selected template from the client computer; retrieve the position information

from the selected template; and print the selected photographs at positions

controlled by the retrieved position information from the selected template.

In this way, the information indicative of a selected template received from

the client computer could be include in the command code sent from the client

computer to the server system in Yokomizo. *See* Yokomizo, pg. 5, lines 12-14.

The server system therefore could retrieve the position information from the

selected template; and print the selected photographs at positions controlled by

the retrieved position information from the selected template.

The motivation to modify Yokomizo in such a way is to reduce bandwidth

usage, and therefore reduce cost. Further motivation would be to increase the

speed of transmission of information. For example, a user would only have to

send a flag in the command code, wherein the flag could be associated with the

particular template at the server system. These motivations are in line with what

Yokomizo is trying to compensate for. *See* Yokomizo, pg. 2, lines 25-30, and

lines 37-39.


11.     Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Yokomizo in view of Official Notice.


**In regard to claim 6**, Yokomizo does not specifically discloses wherein

the client computer provides for selection of the transformation from at least one

of: selection of a window in a photograph for selectively placing only the part of

the photograph that is in the window in the photo album, rotation, geometric

distortion, adaptation of brightness, adaptation of contrast, adaptation of color

saturation and adaptation of gamma.

Yokomizo, however, discloses that various editorial processing can be

included in the system disclosed in Yokomizo. *See* Yokomizo, pg. 8, lines 14-16.

The Examiner, therefore, takes Official Notice that presenting for editing

selection, at least one of selection of a window in a photograph for selectively

placing only the part of the photograph that is in the window in the photo album,

rotation, geometric distortion, adaptation of brightness, adaptation of contrast,

adaptation of color saturation and adaptation of gamma is well known and

expected in the art, and it would have been obvious to one of ordinary skill in the

art at the time of the invention to modify Yokomizo to provide these options for

the image editing disclosed in Yokomizo.

One of ordinary skill in the art would have been motivated to modify

Yokomizo in such a way so as to provide a user of the system disclosed in

Yokomizo with a plurality of common image editing options.

### *Conclusion*

12.     The prior art made of record and not relied upon is considered pertinent to

Applicant's disclosure and is as follows:


McConn et al., U.S. Patent No. 7,126,708 B1, teaches enabling photo labs

to process digital images; and

Seto, U.S. Patent Application Publication No. 2003/0179406 A1, teaches

an image data management server.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to ERIC A. RUST whose telephone number is

(571)-270-3380.  The examiner can normally be reached on Monday - Friday,

8:00 a.m. -  5:00 p.m., EST.

If attempts to reach the examiner by telephone are unsuccessful, the

examiner's supervisor, Nabil El-Hady can be reached on (571)-272-3963.  The

fax phone number for the organization where this application or proceeding is

assigned is 571-273-8300.

Information regarding the status of an application may be obtained from

the Patent Application Information Retrieval (PAIR) system.  Status information

for published applications may be obtained from either Private PAIR or Public

PAIR.  Status information for unpublished applications is available through

Private PAIR only.  For more information about the PAIR system, see http://pair-

direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-

free).  If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-

9199 (IN USA OR CANADA) or 571-272-1000.

/E. A. R./
Examiner, Art Unit 4147
08/12/2009

/ANAND  BHATNAGAR/
Primary Examiner, Art Unit 2624
August 13, 2009